

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: CV 16-02129-SJO (RAOx) Date: September 5, 2017  
Title: Cory Spencer, et al. v. Lunada Bay Boys, et al.

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Present: The Honorable **ROZELLA A. OLIVER, U.S. MAGISTRATE JUDGE**

Sandra L. Butler CS 9/5/2017  
Deputy Clerk Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

Samantha Wolff  
Kurt Franklin  
Lisa Pooley

Attorneys Present for Defendant(s):

Edwin Richards  
Christopher Glos  
Jacob Song  
Peter Haven  
Mark Fields  
Robert Cooper  
John Stobart  
Richard Dieffenbach  
John Worgul  
Patrick Carey  
Tera Lutz  
Daniel Crowley  
Alison Hurley  
Tiffany Bacon  
Kevin Flautt<sup>1</sup>

Proceedings: **MINUTE ORDER RE: TELEPHONIC HEARING ON  
OUTSTANDING DISCOVERY DISPUTES**

The case was called and counsel for the parties entered their appearances. The Court and the parties discussed the outstanding discovery disputes and the matters referred to the undersigned by District Judge Otero. *See* Dkt. Nos. 435, 437.

A further telephonic status conference is scheduled for **September 12, 2017, at 10:00 a.m.** Only counsel for the parties involved in the outstanding discovery disputes are required to participate in the status conference. The Court will determine at the September 12 hearing what further briefing and proceedings are necessary to resolve the referred matters. **No further**

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<sup>1</sup> Mr. Flautt is counsel for Palos Verdes Estates Police Officers' Association (PVE POA).

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**briefing shall be filed** for consideration by the undersigned regarding the referred matters or any other discovery-related matter before the September 12 hearing unless directed by the Court.

As stated on the record, the parties shall provide the Court with a status update at the September 12 conference, including the following:

- Plaintiffs shall report on their review of Defendants Charlie and Frank Ferrara's production of extraction reports and cellular phone bills and whether it appears to Plaintiffs that there are any outstanding cellular phone records.
- Plaintiffs and Defendant Lee shall report on any further meet and confer efforts between the parties and discussions with forensics or discovery vendors regarding the possibility of extracting further data from Defendant Lee's cellular phone. In addition, Defendant Lee shall report on discussions with his forensics or discovery vendor regarding further explanation or analysis on how or when any lost data was deleted, destroyed, overwritten or otherwise rendered unextractable.
- Defendant Papayans shall report on the status of the extraction report for his cellular phone and a timeline as to when the extraction report will be produced to Plaintiffs.
- Plaintiffs, Defendant City of Palos Verdes and PVE POA shall be prepared to discuss the necessity of and timing for any further briefing on Plaintiffs Rule 56(d) motion and PVE POA's objections to the production of text messages and phone records from the personal devices of police officers of the Palos Verdes Estates Police Department.
- Defendant City of Palos Verdes shall report on the status of production of the photographs associated with Palos Verdes Estates Police Report DR 021007 and provision to Plaintiffs of an explanation regarding the date stamp for the video(s) associated with a police memorandum regarding a January 20, 2014 Lunada Bay Event.
- Plaintiffs and Defendant City of Palos Verdes shall report on the documents requested by Plaintiffs relating to traffic patterns and citation statistics.
- Plaintiffs shall be prepared to notify the Court as to whether they intend to amend or withdraw any of the pending matters referred to the Court or portions thereof.

**IT IS SO ORDERED.**

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